

2. (Unchanged) A composition for providing protective immunity against *Streptococcus equi* infection following *Streptococcus equi* challenge comprising a live non-encapsulated attenuated *Streptococcus equi* in combination with an immunostimulant that stimulates mucosal immunity, wherein said immunostimulant is saponin.

5. (Unchanged) The composition of claim 2, wherein said *Streptococcus equi* is strain 709-27 (ATCC 53186).

6. (Unchanged) The composition of claim 2, wherein said saponin is in the amount of from about 1 to about 10 mg/ml of said composition.

7. (Unchanged) The composition of claim 2, wherein said saponin is in the amount of from about 3 to about 7 mg/ml of said composition.

8. (Unchanged) The composition of claim 2, wherein said saponin is in the amount of from about 4 to about 6 mg/ml of said composition.

*J1* 11. (Thrice amended) The composition of claim 22, wherein said *Streptococcus equi* is strain 709-27 (ATCC 53186).

12. (Amended) The composition of claim 11, wherein said *Streptococcus equi* is in the amount of about  $1 \times 10^9$  Colony Forming Unit (CFU).

*J2* 13. (Amended) The composition of claim 11, wherein said *Streptococcus equi* is in the amount of about  $1.7 \times 10^7$  Colony Forming Unit (CFU).

14. (Twice Amended) The composition of claim 11, wherein said *Streptococcus equi* is in a lyophilized form and said saponin is in a diluent.

16. (Thrice amended) The method of claim 23, wherein said *Streptococcus equi* is strain 709-27 (ATCC 53186).

18. (Thrice Amended) The method of claim 24, wherein said *Streptococcus equi* is strain 709-27 (ATCC 53186).

19. (Amended) The method of claim 24, wherein said attenuated *Streptococcus equi* is in the amount of from about  $10^5$  to about  $10^{11}$  Colony Forming Unit (CFU).

20. (Amended) The method of claim 24, wherein said attenuated *Streptococcus equi* is in the amount of from about  $10^6$  to about  $10^{10}$  Colony Forming Unit (CFU).

21. (Amended) The method of claim 24, wherein said attenuated *Streptococcus equi* is in the amount of from about  $10^7$  to about  $10^9$  Colony Forming Unit (CFU).

-- 22. (New) A composition for providing protective immunity against *Streptococcus equi* infection following *Streptococcus equi* challenge comprising a live non-encapsulated attenuated *Streptococcus equi* in combination with an immunostimulant that stimulates mucosal immunity, wherein said immunostimulant is saponin and wherein the composition is suitable for nasal administration.

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23. (New) A method of stimulating an immune response to *Streptococcus equi* comprising contacting cells of the nasopharyngeal mucosa of an equine with a composition comprising a live non-encapsulated attenuated *Streptococcus equi* in combination with an immunostimulant that stimulates mucosal immunity, wherein said immunostimulant is saponin, and wherein the composition provides protective immunity against *Streptococcus equi* infection following *Streptococcus equi* challenge.

24. (New) A method for preventing at least one of the symptoms associated with *Streptococcus equi* infection in equine comprising administering nasally or by mouth to said equine an effective amount of a composition comprising a live non-encapsulated attenuated *Streptococcus equi* in combination with an immunostimulant that stimulates mucosal immunity, wherein said immunostimulant is saponin, and wherein the composition is suitable for providing protective immunity against *Streptococcus equi* infection following *Streptococcus equi* challenge.

#### REMARKS

Claims 2, 5-8, and 10-21 are pending in the above-captioned application. With this response, claims 10, 15 and 17 are canceled, claims 11, 12, 13, 14, 16, 18, 19, 20 and 21 are amended, and claims 22, 23 and 24 are added. Therefore, after entry of this response, claims 2, 5-8, 11-14, 16, 18-24 will be pending. No new matter has been introduced with these changes.

#### Claim Objections

Claims 10, 15 and 17 have been canceled and replaced with new independent claims 22-24, respectively. The claims dependent on claims 10, 15 and 17 have been amended accordingly.

Claims 12 and 13 have been amended as suggested by the Examiner in the Office Action at paragraph 6 on page 3 of the Office Action.